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United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Animal Welfare Enforcement Fiscal Year 1986

**Report of the Secretary of Agriculture
to the President of the Senate and the
Speaker of the House of Representatives**

CONTENTS

Summary (1)	Separates (Lists)
Legislation (1)	Licensed Dealers
Regulations (2)	Registered Research Facilities
Organization for Implementation of the Act (2)	Licensed Exhibitors
Field Enforcement (2)	Registered Exhibitors
Staff Support (2)	Registered Carriers and
Training (3)	Intermediate Handlers
Licensing and Registration (3)	
Licensed Dealers (3)	
Carriers and Intermediate Handlers (3)	
Animal Exhibitors (4)	
Research Facilities (4)	
Reports From Research Facilities (4)	
Inspections and Investigations (5)	
Prelicensing Inspections (5)	
Compliance Inspections (5)	
Inspections of Animals in Transit (5)	
Complaints and Investigations (5)	
Reviews (6)	
Special Projects (6)	
Public Information (6)	
Public Correspondence (6)	
Freedom of Information Act Requests (6)	
Legislative Recommendations (7)	

Appendix

- Table 1. Number of active licensees and registrants (8)
- Table 2. Animals used in experimentation (9)
- Table 3. Animals experiencing pain or distress (drugs omitted because they would interfere with the purpose of research or testing) (10)
- Table 4. Animals to which pain-relieving drugs were administered to avoid pain or distress (11)
- Table 5. Number of inspections (12)

Regulations

Administration and enforcement of the AWA are assigned to the USDA. The Act directs the USDA to develop regulations ensuring the humane care and treatment of animals. The regulations are published in Title 9 of the Code of Federal Regulations, and include minimum standards for handling, housing, feeding, and watering animals; for sheltering them from extremes of weather and temperature; and for separating incompatible animals. Standards for sanitation, ventilation, veterinary care, and transportation are also included.

Birds, laboratory rats and mice, horses, and other farm animals are excluded from regulation.

The 1985 amendment to the AWA directs the Department to develop and implement standards requiring exercise for dogs and a physical environment for primates that will promote their psychological well-being. The amendment also requires that standards be developed to minimize pain and distress for animals used in research facilities; to ensure that alternatives to painful research are considered; to ensure the proper use of tranquilizers, analgesics, and anesthetics, and to require consultation with a doctor of veterinary medicine in the use of such drugs; to provide for proper presurgical and postsurgical care of animals; to prohibit the use of paralytics without anesthesia; and to restrict the use of animals in multiple major operative experiments.

During FY 1986, most of these new regulations and standards were drafted and submitted for departmental and legal clearance. They should be published as proposed rulemaking in early 1987. Requirements for the exercise of dogs and for an environment to promote the psychological well-being of primates will be drafted and published during FY 1987.

Organization for Implementation of the Act

The Animal and Plant Health Inspection Service (APHIS) is the Agency within the USDA responsible for enforcing the AWA. Enforcement is directed by the Agency's Assistant Deputy Administrator for Domestic Programs through four regional offices located in Englewood, Colorado; Fort Worth, Texas; Scotia, New York; and Tampa, Florida.

1. Field Enforcement

Licensing, registration, and inspection are accomplished by a field force of APHIS employees directed by Area Veterinarians in Charge, who are generally located in State capitals. Field officials conducting animal welfare activities include veterinary medical officers, compliance officers, and animal health technicians. Six veterinarians serve as animal care specialists and provide full-time coordination of animal welfare activities in each of the four regions.

2. Staff Support

The Animal Care Staff supports the program through the development of policies, procedures, and regulations to achieve national objectives. The staff plans and conducts training at the national level. When requested by a regional director, it conducts reviews in the field to assess the effectiveness of the animal welfare program.

The Compliance and Enforcement Staff supports program activities by consulting about investigations, reviewing reports of alleged violations for prosecution or other action, and coordinating training of compliance officers.

During FY 1986, 138 carriers and 246 intermediate handlers were registered; 12 carriers and 18 intermediate handlers were new registrants; 4 carriers and 15 handlers voluntarily terminated their registrations.

3. Animal Exhibitors

Licensed exhibitors operate animal acts, carnivals, circuses, public zoos, roadside zoos, and marine mammal exhibits. Most of the animals exhibited are wild or exotic species, such as lions, tigers, bears, and elephants. More docile species, such as sheep and goats, are generally stocked at children's zoos and petting zoos.

During FY 1986, 1,322 exhibitors were licensed and 64 exhibitors were registered. Also, 129 exhibitors voluntarily terminated their licenses, and 17 voluntarily terminated their registrations.

4. Research Facilities

Research facilities consist of colleges, pharmaceutical firms, diagnostic laboratories, cosmetic testing firms, State-owned clinics, privately owned medical facilities, hospitals, and universities. Elementary and secondary schools are exempt from registration. Also, Federal agencies and institutions using only nonregulated species are not required to register.

At the close of FY 1986, 1,241 active research facilities were registered, including 65 new registrations. Registrations of 36 research facilities were terminated in FY 1986. In addition, 124 institutions reported that they had not used regulated animals for 2 years in succession. Institutions that anticipate future use of animals in research may ask to be kept in an "inactive" status.

All non-Federal and Federal research facilities subject to regulation under the AWA must comply with regulations and standards promulgated under the Act. All non-Federal facilities are monitored for compliance by APHIS personnel.

An attending or consulting veterinarian is required to participate actively in the care of laboratory animals. Through the cooperative efforts of research facility veterinarians and APHIS inspectors, appropriate veterinary care is established and maintained.

5. Reports From Research Facilities

The Annual Report of Research Facilities is required from active, inactive, and Federal research facilities by December 1 of each year. The report helps ensure that humane handling, husbandry practices and veterinary care, and treatment are at a level consistent with currently accepted laboratory animal practices and professional standards.

The institutional animal committee or the attending veterinarian must document on the annual report that anesthetics, analgesics, and tranquilizers in painful experiments have been used in an approved manner. If pain relief was not provided, the report must verify that the use of pharmaceutical agents would have interfered with the intended purpose of the research, tests, or experiments.

In 1986, APHIS received reports from 1,227 institutions, including 1,097 registered facilities and 130 Federal research facilities (Appendix, Table 2). Institutions that submitted reports indicating no painful experiments are not included in Table 2.

Of the 1,778,403 animals used in research under the authority of the

officers. As a result of field investigations, 351 apparent violations were submitted to the Compliance and Enforcement Staff for possible legal action.

5. Reviews

In FY 1986, 643 reviews of persons in business were conducted to determine whether they required licensing or registration.

Special Projects

1. An APHIS-funded project to revise the Animal Welfare Field Manual was successfully concluded. The manual is now condensed with an expanded index and cross-referencing system. It was distributed in January 1987.

2. APHIS reached an agreement with the American Veterinary Medical Association to cosponsor a Colloquium on "Alleviation of Pain and Distress in Animals." The Colloquium will be held in Chicago, Illinois, May 15-17, 1987.

3. APHIS has participated in a consortium of 19 sponsoring groups, including agricultural and professional organizations and Federal agencies, in the development of "A Guide for the Care and Use of Agricultural Animals in Agricultural Research and Teaching." Six sub-committees (dairy and veal, beef cattle, horses and ponies, poultry, sheep and goats, and swine), each composed of an agricultural engineer, a veterinarian, an animal scientist, and an industry/producer representative, are working on development of the guide. Guidelines are expected to be available in 1988 for voluntary adoption by animal care committees and researchers and teachers at agricultural institutions.

4. On March 7, 1986, APHIS published in the Federal Register, Volume 51,

No. 45, a solicitation of information for drafting proposed regulations and standards under Public Law 99-198, which amended the AWA. Comments were received from over 370 individuals, industry groups, State and Federal agencies, and scientific and humane organizations. To comply with the December 1985 amendment to the AWA, these comments were reviewed and considered during the drafting of proposed rulemaking.

Public Information

In FY 1986, APHIS issued 12 press releases on the Animal Welfare Program.

1. Public Correspondence

APHIS receives inquiries about animal welfare directly from concerned groups or individual citizens or indirectly through referrals from the President, from Members of Congress, and from other departments of government. In FY 1986, APHIS received over 120,000 cards and letters, of which more than 118,000 contained preprinted statements submitted at the behest of humane organizations requesting full enforcement of the AWA.

As in FY 1985, public opposition continued to be directed at trained animal acts such as wrestling bears or performances involving animals that dive from a platform into a tank of water. Numerous requests were received to develop regulations consistent with proposals made by humane organizations. Questions about the handling of livestock at markets and the use of farm animals and rats and mice in research laboratories were concerns frequently raised.

2. Freedom of Information Act Requests

In FY 1986, APHIS received 303 requests resulting in the release of

APPENDIX

Table 1.—Number of active licensees and registrants, fiscal year 1986

State	Intermediate handlers carriers	Licensed dealers	Animal exhibitors		Registered research facilities
			Licensed	Registered	
U.S. Total	384	3,708	1,354	61	1,241
Alabama	1	8	7	0	12
Alaska	2	1	6	0	2
Arizona	8	13	12	0	12
Arkansas	2	126	15	0	6
California	36	103	182	1	168
Colorado	18	45	20	3	23
Connecticut	10	5	17	0	18
Delaware	0	1	1	0	8
Florida	26	100	191	2	39
Georgia	12	29	21	4	15
Hawaii	27	4	14	0	5
Idaho	4	5	8	0	4
Illinois	9	81	49	4	57
Indiana	3	70	34	0	21
Iowa	0	430	12	5	15
Kansas	1	556	18	3	21
Kentucky	4	8	5	2	4
Louisiana	1	12	22	0	13
Maine	4	10	9	1	12
Maryland	3	11	11	0	18
Massachusetts	8	29	33	2	76
Michigan	3	33	46	14	47
Minnesota	4	82	24	2	20
Mississippi	1	9	8	0	3
Missouri	15	660	27	0	30
Montana	0	6	4	1	3
Nebraska	1	183	11	0	9
Nevada	1	4	27	0	1
New Hampshire	1	7	10	0	4
New Jersey	12	23	29	0	67
New Mexico	10	5	6	0	12
New York	24	41	47	0	97
North Carolina	8	41	19	6	18
North Dakota	1	23	5	1	3
Ohio	5	77	49	5	59
Oklahoma	2	248	12	1	14
Oregon	7	106	13	0	15
Pennsylvania	15	91	57	0	90
Rhode Island	0	2	4	0	9
South Carolina	9	14	15	0	5
South Dakota	0	60	7	0	3
Tennessee	3	31	14	0	13
Texas	30	169	97	1	72
Utah	8	6	8	0	8
Vermont	1	9	2	0	4
Virginia	9	19	17	0	20
Washington	13	23	22	0	18
West Virginia	1	5	7	0	6
Wisconsin	8	54	69	1	20
Wyoming	0	3	1	2	4
District of Columbia	2	0	0	0	8
Puerto Rico	3	27	10	0	10
Virgin Islands	8	0	0	0	0

Table 3.—Animals experiencing pain or distress (drugs omitted because they would interfere with the purpose of research or testing), fiscal year 1986

State	Number of reporting facilities	Number of animals							Wild animals
		Total	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	
U.S. Total	193	113,161	2,620	410	860	51,480	32,577	20,331	4,883
Alabama	0	0	0	0	0	0	0	0	0
Alaska	0	0	0	0	0	0	0	0	0
Arizona	1	54	0	0	0	0	0	54	0
Arkansas	0	0	0	0	0	0	0	0	0
California	12	7,221	97	3	69	3,825	74	1,603	1,550
Colorado	1	114	0	0	0	0	0	54	60
Connecticut	3	1,191	223	0	0	637	0	331	0
Delaware	3	7,127	14	0	15	6,828	0	270	0
Florida	5	46	0	18	8	0	0	20	0
Georgia	1	22	0	0	10	0	12	0	0
Hawaii	0	0	0	0	0	0	0	0	0
Idaho	0	0	0	0	0	0	0	0	0
Illinois	10	1,194	93	0	35	482	76	503	5
Indiana	5	5,037	54	0	6	4,210	0	767	0
Iowa	3	3,464	0	0	0	2	3,462	0	0
Kansas	3	30,924	48	0	0	9,203	19,785	1,888	0
Kentucky	0	0	0	0	0	0	0	0	0
Louisiana	1	37	0	13	0	0	0	24	0
Maine	1	4	0	0	0	0	0	4	0
Maryland	4	305	0	0	0	90	0	143	72
Massachusetts	6	401	0	0	56	44	0	301	0
Michigan	8	3,307	0	0	51	1,489	650	663	454
Minnesota	4	2,911	44	16	0	2,122	0	714	15
Mississippi	1	36	0	0	0	0	0	36	0
Missouri	7	1,822	31	43	0	1,298	0	450	0
Montana	0	0	0	0	0	0	0	0	0
Nebraska	1	170	0	0	0	0	0	0	170
Nevada	0	0	0	0	0	0	0	0	0
New Hampshire	0	0	0	0	0	0	0	0	0
New Jersey	20	12,494	335	56	34	1,477	6,472	4,009	111
New Mexico	2	30	0	0	18	0	0	12	0
New York	14	1,450	113	89	11	4	474	672	87
North Carolina	1	44	6	10	28	0	0	0	0
North Dakota	0	0	0	0	0	0	0	0	0
Ohio	10	5,361	196	15	172	3,397	0	1,112	469
Oklahoma	0	0	0	0	0	0	0	0	0
Oregon	1	30	0	0	0	0	0	30	0
Pennsylvania	17	3,679	115	53	4	6	0	3,471	30
Rhode Island	0	0	0	0	0	0	0	0	0
South Carolina	2	95	0	0	0	80	3	12	0
South Dakota	0	0	0	0	0	0	0	0	0
Tennessee	3	800	62	24	0	0	0	714	0
Texas	8	2,133	17	0	24	494	0	1,148	450
Utah	0	0	0	0	0	0	0	0	0
Vermont	1	50	0	0	0	0	0	50	0
Virginia	5	4,654	760	32	53	3,625	0	184	0
Washington	3	6,541	0	0	7	6,474	0	60	0
West Virginia	0	0	0	0	0	0	0	0	0
Wisconsin	1	34	0	0	0	0	0	34	0
Wyoming	0	0	0	0	0	0	0	0	0
Puerto Rico	1	30	0	0	0	30	0	0	0
District of Columbia	0	0	0	0	0	0	0	0	0
Virgin Islands	0	0	0	0	0	0	0	0	0
Federal Agencies	24	10,349	412	38	259	5,663	1,569	998	1,410

Table 5.—Number of inspections, fiscal year 1986

State	Complaints	Prelicensing	Compliance	Reviews	Alleged violations investigated
U.S. Total	752	1,577	15,853	643	662
Alabama	2	2	93	2	0
Alaska	0	0	0	0	0
Arizona	4	0	129	0	2
Arkansas	56	44	298	0	8
California	39	22	1,209	0	39
Colorado	11	12	163	0	6
Connecticut	8	3	117	0	0
Delaware	4	1	24	0	0
Florida	19	53	764	38	41
Georgia	5	10	228	1	6
Hawaii	2	0	50	0	2
Idaho	0	11	37	5	3
Illinois	13	26	632	18	29
Indiana	51	37	94	37	7
Iowa	36	144	838	114	11
Kansas	34	282	1,483	2	28
Kentucky	5	7	64	29	0
Louisiana	0	9	130	8	2
Maine	5	6	47	16	0
Maryland	31	8	201	0	11
Massachusetts	4	8	400	0	31
Michigan	6	14	409	34	13
Minnesota	3	16	264	3	31
Mississippi	6	5	78	0	6
Missouri	90	263	1,457	91	123
Montana	3	2	33	0	1
Nebraska	12	108	433	0	12
Nevada	5	2	71	2	1
New Hampshire	7	3	58	3	0
New Jersey	26	5	247	0	20
New Mexico	2	3	42	15	2
New York	16	9	843	32	45
North Carolina	11	40	216	11	16
North Dakota	3	4	70	22	2
Ohio	12	29	547	0	22
Oklahoma	6	62	540	38	7
Oregon	53	51	244	40	11
Pennsylvania	42	70	822	0	40
Rhode Island	3	0	72	8	0
South Carolina	4	2	94	15	4
South Dakota	15	41	208	0	5
Tennessee	9	18	129	28	22
Texas	35	59	784	0	28
Utah	2	3	67	0	0
Vermont	5	1	43	2	0
Virginia	13	5	139	1	15
Washington	10	14	205	5	3
West Virginia	2	11	53	10	0
Wisconsin	10	32	480	1	6
Wyoming	10	3	28	12	0
Puerto Rico	2	17	133	0	1
District of Columbia	0	0	0	0	0
Virgin Islands	0	0	0	0	0

